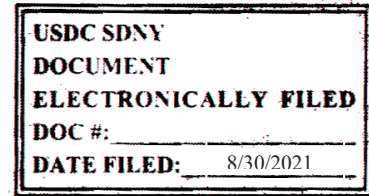


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



In re:

TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

03-MD-1570 (GBD)(SN)

ORDER

SARAH NETBURN, United States Magistrate Judge:

The Court has reviewed the declarations submitted regarding the breach of the Protective Orders. Based on that review, the Court orders that supplemental declarations and additional declarations be filed.

A. Kreindler & Kreindler

The four attorneys from Kreindler & Kreindler identified in the Court's Order at ECF No. 7011 are directed to file supplemental declarations that:

1. identify all communications with Michael Isikoff or anyone acting on his behalf, whether oral or written, from June 1, 2021, to August 1, 2021. Any written communication must be provided to the Court;
2. declare whether they have ever discussed the contents of the Musaed Al Jarrah deposition with Michael Isikoff or anyone acting on his behalf. Any communication must be described in detail, including whether portions of the transcript were read or testimony was described;
3. state every person with whom they shared the Al Jarrah deposition transcript who has not already supplied the Court with a declaration in this investigation; and
4. state every person that they know had access to the deposition transcripts who has not already supplied a declaration in this investigation.

At least one of these declarations must describe, in detail, the firm's internal investigation that was undertaken in response to the breach of the Protective Orders.

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In addition, the Court orders that the following additional declarations be provided:

1. a declaration from any party identified in the supplemental declarations described above employed by or acting at the direction of Kreindler & Kreindler. This shall include the paralegal identified in Paragraph Four of the Megan Wolfe Benett Declaration, ECF No. 7016 at 3. These declarations shall (i) address whether the declarant shared with anyone any portion of the Al Jarrah deposition transcript (either by providing copies of any portion of the transcript, reading any portion of the transcript, or describing it); and (ii) identify and describe all communications with Michael Isikoff or anyone acting on his behalf, whether oral or written, from June 1, 2021, to August 1, 2021. Any written communication must be provided to the Court; and
2. a declaration from the head of the law firm's information technology group or other comparable figure describing the investigation that was undertaken in response to the breach of the Protective Order. That declaration should demonstrate that a forensic analysis was done to identify who accessed the deposition transcripts, determine the dates of any access, and assess whether anyone from the firm emailed either of the two known Isikoff email addresses (*i.e.*, misikoff@yahoo-inc.com or misikoff@oath.com) or any other email addresses known to be associated with Isikoff. If the investigation revealed such emails sent or received between June 1, 2021, and August 1, 2021, those must be provided.

B. Other Entities

The Court also directs the submission of declarations from:

1. Golkow Litigation Services. The Court requests that counsel for Saudi Arabia facilitate the collection of declarations from Golkow as part of this investigation, which it has offered to do. ECF No. 6982 at 1. Counsel shall provide a copy of this Order to Golkow, collect the declarations from Golkow required by this Order, and file those declarations with the Court;
2. Plaintiff Law Firms. The Plaintiffs' Executive Committee shall identify every law firm that attended the Al Jarrah deposition on behalf of a plaintiff or any firm representing a plaintiff that otherwise had access to the deposition transcript, ensure that those firms receive a copy of this Order, and make a single filing consisting of all declarations submitted by any additional plaintiff law firms in response to this Order; and
3. Defendant Law Firms: Counsel for Saudi Arabia shall identify any law firm that attended the Al Jarrah deposition on behalf of a defendant or any firm representing a defendant that otherwise had access, ensure that those firms receive a copy of this Order, and make a single filing consisting of all declarations submitted by defendant law firms in response to this Order.


Each entity shall submit a declaration(s) under penalty of perjury that provides:

1. Whether anyone employed by or acting at the direction of that entity shared the Al Jarrah deposition transcript with Isikoff, anyone acting on his behalf, or anyone not authorized to receive the deposition under the terms of the Protective Orders;
2. Whether anyone employed by or acting at the direction of that entity communicated with Isikoff or anyone acting on his behalf regarding the contents of the Al Jarrah deposition from June 1, 2021, to August 1, 2021. If communication took place, the substance of those communications must be described, and copies of any written communications must be provided to the Court; and
3. What investigative steps were taken to investigate the breach of the Protective Orders.

The submissions directed by the Court in this Order shall be provided by September 10, 2021.

SO ORDERED.

DATED: New York, New York
August 30, 2021



SARAH NETBURN
United States Magistrate Judge